



Air Pollution Control Board

San Diego County Air Pollution Control District

Governing Body

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER-PRICE
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

AGENDA ITEM

DATE: November 9, 2011

AP02

TO: Air Pollution Control Board

SUBJECT: NOTICED PUBLIC HEARING – ADOPTION OF AMENDMENTS TO RULE 67.4 – METAL CONTAINER, METAL CLOSURE, AND METAL COIL COATING OPERATIONS (DISTRICT: All)

SUMMARY:

Overview

The Air Pollution Control Board is requesting to adopt proposed amendments to Rule 67.4, limiting emissions of volatile organic compounds from the application of coatings to metal containers, closures, and coils and related cleaning activities. Volatile organic compounds emitted into the atmosphere contribute to the formation of ozone, which at elevated levels can impact public health. Despite substantial air quality improvement over the past two decades, San Diego County does not yet attain state and federal air quality standards for ozone.

The amendments, if adopted, will reduce the allowable amount of volatile organic compounds in cleaning materials used in affected coating operations, consistent with existing requirements of several air districts in California. The amendments help fulfill federal and state requirements in ozone nonattainment areas to update rules as necessary to reflect the current state of air pollution control technology.

Recommendation(s)

AIR POLLUTION CONTROL OFFICER

1. Find that the adoption of amended Rule 67.4 is categorically exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment, and pursuant to California Code of Regulations Title 14, Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Adopt the resolution entitled Resolution Amending Rule 67.4 – Metal Container, Metal Closure and Metal Coil Coating Operations into Regulation IV of the Rules and Regulations of the San Diego County Air Pollution Control District. |

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Fiscal Impact

The proposed amendments to Rule 67.4 will not have a fiscal impact on the Air Pollution Control District. The rule will be implemented and enforced with existing Air Pollution Control District staff.

Business Impact Statement

Adopting the proposed amendments to Rule 67.4 will not adversely impact the business community. The companies subject to the rule already use cleaning materials that comply with the proposed amendments.

Advisory Board Statement

At its meeting on April 14, 2011, with a quorum present, the Air Pollution Control District Advisory Committee supported the Air Pollution Control District's recommendations.

BACKGROUND:

San Diego County does not currently meet the National and State Ambient Air Quality Standards for ozone and therefore is classified as an ozone nonattainment area. Both federal and state laws require the San Diego County Air Pollution Control District (District) to implement rules that regulate emissions of ozone precursors – volatile organic compounds (VOCs) and oxides of nitrogen.

Existing Rule 67.4 regulates VOC emissions from metal container, metal closure, and metal coil coating operations. The rule was adopted in 1979 and last revised in 1996. The major goal in amending Rule 67.4 is to make the VOC emission limits consistent with those in other districts and to reflect the greater level of control actually achieved by the two companies subject to the rule, in compliance with federal and state requirements. Following its adoption, proposed amended Rule 67.4 will be submitted to the U.S. Environmental Protection Agency to replace existing Rule 67.4 in the State Implementation Plan.

The proposed amendments reduce the VOC content limit for cleaning materials to 25 grams per liter unless specified cleaning and emission control equipment is used; include a new section to require the use of high transfer efficiency coating application equipment; clarify record keeping requirements; and update definitions of terms used in the rule. In addition, the proposed amendments update the test methods for determining the content of VOC and exempt compounds in coatings and cleaning materials and the overall efficiency of emission control systems.

There are two facilities subject to Rule 67.4 in San Diego County. One facility currently uses water-based coatings with a very low VOC content and water as a cleaning material, and has negligible VOC emissions. The other facility currently uses low VOC content coatings and acetone (an exempt compound) as a cleaning agent. The total VOC emissions from this facility are about 3.6 tons/year. Both companies already comply with all proposed rule amendments.

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Socioeconomic Impact Assessment

Section 40728.5 of the State Health and Safety Code requires the District to assess the socioeconomic impacts when adopting, amending, or repealing a rule that will significantly affect air quality or emission limitations. While the amendments to Rule 67.4 require using cleaning materials with a lower VOC content for coating operations, the proposed emission limits are already being achieved by the facilities subject to this amended rule. The cleaning materials used by these facilities are now in compliance. Accordingly, this requirement will not adversely affect facilities subject to the rule, and the adoption of the amendments to Rule 67.4 will not significantly affect air quality or emission limitations and does not require a Socioeconomic Impact Assessment.

Environmental Statement

The adoption of amended Rule 67.4 is exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment. In this case, this action is being taken in response to federal and state requirements to reduce emissions of VOCs in order to achieve ambient air quality standards. Additionally, this action is also exempt pursuant to California Code of Regulations Title 14, Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The two facilities subject to the amended rule are already operating in compliance with the amended requirements, and will not be required to change their operations.

Linkage to the County of San Diego Strategic Plan

The County's five-year strategic plan includes an Environment Initiative to ensure environmental preservation and enhance quality of life. The proposed amendments to Rule 67.4 will codify the use of materials with a very low content of VOCs that contribute to ozone formation, without negatively impacting the local business community. The rule balances air quality preservation, public health protection, and economic development needs.

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Respectfully submitted,



SARAH E. AGHASSI
Deputy Chief Administrative Officer



ROBERT J. KARD
Air Pollution Control Officer

ATTACHMENTS

Attachment A – Resolution Amending Rule 67.4 –Metal Container, Metal Closure and Metal Coil Coating Operations of Regulation IV of the Rules and Regulations of the San Diego County Air Pollution Control District

Attachment B – Comparative Analysis

Attachment C – Incremental Cost Effectiveness Analysis

Attachment D – Workshop Report

Attachment E – Change Copy

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AGENDA ITEM INFORMATION SHEET |

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

May 15, 1996 (APCB #2), Amendment of Rule 67.4 – Metal Container, Metal Closure and Metal Coil Coating Operations.

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S): N/A

ORIGINATING DEPARTMENT: Air Pollution Control District

OTHER CONCURRENCE(S): N/A

CONTACT PERSON(S):

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